

AMENDMENTS TO LB 39

Introduced by Government, Military and Veterans Affairs Committee:

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 32-630, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 32-630 (1) Each person who signs a petition shall, at
6 the time of and in addition to signing, personally affix the date,
7 print his or her last name and first name in full, and affix his
8 or her date of birth and address, including the street and number
9 or a designation of a rural route or voting precinct and the city
10 or village or a post office address. A person signing a petition
11 may use his or her initials in place of his or her first name if
12 such person is registered to vote under such initials. No signer
13 shall use ditto marks as a means of personally affixing the date or
14 address to any petition. A wife shall not use her husband's first
15 name when she signs a petition but shall personally affix her first
16 name and her last name by marriage or her surname. Any signature
17 using ditto marks as a means of personally affixing the date or
18 address of any petition or any signature using a spouse's first
19 name instead of his or her own shall be invalid.

20 (2) Each circulator of a petition shall personally
21 witness the signatures on the petition and shall sign the
22 circulator's affidavit.

23 (3) No person shall:

1 (a) Sign any name other than his or her own to any
2 petition;

3 (b) Knowingly sign his or her name more than once for the
4 same petition effort or measure;

5 (c) Sign a petition if he or she is not a registered
6 voter and qualified to sign the same except as provided in section
7 32-1404;

8 (d) Falsely swear to any signature upon any such
9 petition;

10 (e) Accept money or other thing of value for signing any
11 petition; ~~or~~

12 (f) Offer money or other thing of value in exchange for a
13 signature upon any petition; or -

14 (g) Pay a circulator based on the number of signatures
15 collected.

16 Sec. 2. Section 32-1404, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 32-1404 A signer of an initiative and referendum petition
19 shall be a registered voter of the State of Nebraska on or
20 before the date on which the petition is required to be filed
21 with the Secretary of State and shall meet the requirements of
22 section 32-630. A person who circulates initiative and referendum
23 petitions need not be a registered voter but shall comply with
24 the requirements of subsection (2) of section 32-630 and with the
25 prohibitions contained in subdivisions (3)(a), (d), and (f), and
26 (g) of section 32-630.

27 Sec. 3. Section 49-1455, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 49-1455 (1) The campaign statement of a committee, other
3 than a political party committee, shall contain the following
4 information:

5 (a) The filing committee's name, address, and telephone
6 number and the full name, residential and business addresses, and
7 telephone numbers of its committee treasurer;

8 (b) Under the heading RECEIPTS, the total amount of
9 contributions received during the period covered by the campaign
10 statement; under the heading EXPENDITURES, the total amount of
11 expenditures made during the period covered by the campaign
12 statement; and the cumulative amount of those totals for the
13 election period. If a loan was repaid during the period covered
14 by the campaign statement, the amount of the repayment shall
15 be subtracted from the total amount of contributions received.
16 Forgiveness of a loan shall not be included in the totals. Payment
17 of a loan by a third party shall be recorded and reported as a
18 contribution by the third party but shall not be included in the
19 totals. In-kind contributions or expenditures shall be listed at
20 fair market value and shall be reported as both contributions and
21 expenditures;

22 (c) The balance of cash and cash equivalents on hand at
23 the beginning and the end of the period covered by the campaign
24 statement;

25 (d) The full name of each individual from whom
26 contributions totaling more than two hundred fifty dollars are
27 received during the period covered by the report, together with

1 the individual's street address, the amount contributed, the date
2 on which each contribution was received, and the cumulative amount
3 contributed by that individual for the election period;

4 (e) The full name of each person, except those
5 individuals reported under subdivision (1)(d) of this section,
6 which contributed a total of more than two hundred fifty dollars
7 during the period covered by the report together with the person's
8 street address, the amount contributed, the date on which each
9 contribution was received, and the cumulative amount contributed by
10 the person for the election period;

11 (f) The name of each committee which is listed as
12 a contributor shall include the full name of the committee's
13 treasurer;

14 (g) Except as otherwise provided in subsection (3) of
15 this section: The full name and street address of each person
16 to whom expenditures totaling more than two hundred fifty dollars
17 were made, together with the date and amount of each separate
18 expenditure to each such person during the period covered by the
19 campaign statement; the purpose of the expenditure; and the full
20 name and street address of the person providing the consideration
21 for which any expenditure was made if different from the payee;

22 (h) The amount and the date of expenditures for or
23 against a candidate or ballot question during the period covered
24 by the campaign statement and the cumulative amount of expenditures
25 for or against that candidate or ballot question for the election
26 period. An expenditure made in support of more than one candidate
27 or ballot question, or both, shall be apportioned reasonably among

1 the candidates or ballot questions, or both; and

2 (i) The total amount of funds disbursed by a separate
3 segregated political fund, by state, for the purpose of supporting
4 or opposing candidates and committees in elections in states
5 other than Nebraska and candidates for federal office, including
6 independent expenditures made in such elections.

7 (2) For purposes of this section, election period means

8 (a) the period beginning January 1 of the calendar year prior
9 to the year of the election in which the candidate is seeking
10 office through the end of the calendar year of such election for
11 candidate committees of candidates seeking covered elective offices
12 as defined in subdivision (1)(a) of section 32-1603, (b) the period
13 beginning July 1 of the calendar year prior to the year of the
14 election in which the candidate is seeking office through the end
15 of the calendar year of such election for candidate committees
16 of candidates seeking covered elective offices so defined in
17 subdivision (1)(b) of section 32-1603, and (c) the calendar year of
18 the election for all other committees.

19 (3) A campaign statement shall include the total amount
20 paid to individual petition circulators during the reporting
21 period, if any, but shall not include the name, address, or
22 telephone number of any individual petition circulator if the only
23 payment made to such individual was for services as a petition
24 circulator.

25 Sec. 4. Section 49-1478, Reissue Revised Statutes of
26 Nebraska, is amended to read:

27 49-1478 (1) An expenditure shall not be made, other than

1 for overhead or normal operating expenses, by an agent or an
2 independent contractor, including an advertising agency, on behalf
3 of or for the benefit of a person unless the expenditure is
4 reported by the committee as if the expenditure were made directly
5 by the committee, or unless the agent or independent contractor
6 files an agent's expenditure report as provided in subsection (3)
7 of this section. The agent or independent contractor shall make
8 known to the committee all information required to be reported by
9 the committee. Any person violating this subsection shall be guilty
10 of a Class III misdemeanor.

11 (2) An expenditure shall not be made, other than for
12 overhead or normal operating expenses, by ~~an individual or entity~~
13 a person gathering petition signatures on behalf of or for the
14 benefit of a person, including a ballot question committee, unless
15 the expenditure is reported by the ballot question committee as
16 if the expenditure were made directly by the committee, or unless
17 the person ~~or entity~~ gathering petition signatures files an agent's
18 expenditure report as provided in subsection (3) of this section.
19 The ~~individual or entity~~ person gathering petition signatures
20 shall make known to the committee all information required to
21 be reported by the committee. For purposes of this section,
22 petition signature means a signature affixed to a petition for the
23 purpose of qualifying a ballot question to appear on a ballot. Any
24 person violating this subsection shall be guilty of a Class III
25 misdemeanor.

26 (3) ~~An individual or entity~~ A person gathering petition
27 signatures, an agent, or an independent contractor who is required

1 to file an agent's report shall file a separate agent's report
2 for each person on whose behalf an expenditure is made. An agent's
3 report shall be filed with the commission within ten days after
4 the end of the calendar month in which the expenditure is made. An
5 agent's report shall include:

6 (a) The name, permanent address, temporary address,
7 permanent telephone number, and temporary telephone number of
8 the individual or entity person making expenditures for the purpose
9 of gathering signatures, the agent, or the independent contractor;

10 (b) The name, address, and telephone number of the person
11 on whose behalf the expenditure is made;

12 (c) The name, permanent address, and temporary address
13 of the person to whom the expenditure is made, except that if
14 the expenditure is solely for the services of an individual
15 circulating petitions, such individual's name and address shall not
16 be included;

17 (d) The date and amount of each expenditure; and

18 (e) A description of the goods or services purchased and
19 the purpose of the goods or services.

20 (4) A person required to report under subsection (3) of
21 this section shall include in the report the total amount paid
22 to individual petition circulators during the reporting period but
23 shall not include the name, address, or telephone number of any
24 individual petition circulator if the only payment made to such
25 individual was for services as a petition circulator.

26 Sec. 5. Original sections 32-630, 32-1404, 49-1455, and
27 49-1478, Reissue Revised Statutes of Nebraska, are repealed.